

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

VICTOR SANCHEZ-ESPINOZA, #14250-180

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:08cv211-DCB-MTP

CONSTANCE REESE, RUSSELL PERDUE,
ROY C. CHEATHAM, UNKNOWN CASTELLI,
DEBRA DAWSON, DARRYL HOOKS,
and MICHAEL MURKSEY

DEFENDANTS

ORDER

This cause comes before this Court on the plaintiff's Acknowledgment and Receipt [7] filed on August 8, 2008, in compliance with the order [5] entered August 1, 2008. A further review of the record, specifically the motion to proceed in forma pauperis [2] filed by the plaintiff on June 9, 2008, the Court finds that even though he provided a Certificate of his inmate account completed by a prison official the plaintiff failed to complete and sign said motion to proceed in forma pauperis. Accordingly, it is hereby

ORDERED:

1. That on or before September 2, 2008, the plaintiff shall file a completed amended motion to proceed in forma pauperis (form is attached) or pay the required filing fee of \$350.00.

If the filing fee is submitted by the plaintiff or someone on his behalf, the payment of the filing fee by check, cash or money order must also include an explanation that the filing fee is being paid Sanchez-Espinoza v. Reese, civil action number 5:08cv211DCB-MTP.

2. That the Clerk shall mail the attached amended motion to proceed in forma pauperis form to the plaintiff at his last known address.

Failure to advise this court of a change of address or failure to comply with any order of this court will be deemed as a purposeful delay and contumacious act by the plaintiff and may result in the denial of in forma pauperis status.

THIS the 8th day of August, 2008.

s/ Michael T. Parker
UNITED STATES MAGISTRATE JUDGE

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AMENDED REQUEST TO PROCEED *IN FORMA PAUPERIS* AND
DECLARATION IN SUPPORT THEREOF

I, _____, am the plaintiff in the above entitled case and request leave to proceed without being required to prepay fees or costs or give security therefor. I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefore, and that I believe I am entitled to redress.

I declare that the responses which I have made below are true.

1. Are you presently employed? Yes _____ No _____

a. If the answer is yes, state the amount of your salary per month and give the name and address of your employer.

b. If the answer is no, state the date of last employment and the amount of the salary per month which you received.

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession, or form of self-employment? Yes _____ No _____

b. Rent payments, interest, or dividends? Yes _____ No _____

c. Pensions, annuities, or life insurance payments? Yes _____ No _____

d. Gifts or inheritances? Yes _____ No _____

e. Any other sources? Yes _____ No _____

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months.

3. Do you own any cash or do you have money in a checking or savings account?

Yes _____

No _____ (Include any funds in prison accounts)

If the answer is yes, state the total value owned.

4. Do you own any real estate, stocks, bonds, notes automobiles, or other valuable property (excluding household furnishings and clothing)? Yes _____ No _____

If the answer is yes, describe the property and state its approximate value. _____

5. List the persons who are dependent upon you for support; state your relationship to those person; and indicate how much you contribute their support. _____

I understand that a false statement or answer to any question in this declaration will subject me to penalties for perjury.

Signature of Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of _____, 20_____.

Signature of Plaintiff